

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 5051 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4304/2007 Dated 16/07/2007
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CRIME NO.16/2006 OF PERAVOOR EXCISE RANGE

PETITIONER/ACCUSED NO.2

E.J.ROY, S/O.KUNHUKUNHU, AGED 27 YEARS,
C/O.CHANDRAN, PULINATHANATH HOUSE,
POTTOR P.O., KOLAZHI, THRISSUR DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS: COMPLAINANT

STATE - EXCISE RANGE OFFICER,
PERAVOOR EXCISE RANGE, REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

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B.A.No. 5051 of 2007

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Dated this the 20th day of August, 2007

ORDER

Application for regular bail. The petitioner was allegedly found to be in possession of 10 litres of Arrack and 500 litres of wash. He faces allegations along with co-accused. Investigation is complete. Final report has been filed. The petitioner came to this Court for anticipatory bail earlier. Consequent to dismissal of the said application with the observations, the petitioner surrendered before the learned Magistrate on 26.7.07. His application for regular bail was dismissed. He continues in custody from that date. The alleged incident took place in 23.08.2006. The petitioner has no other case against him, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that subject to appropriate conditions, the petitioner can be directed to be released on bail.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all first Saturday of every English Calender Month between 5 p.m and 6 p.m., until the case against him is finally disposed of.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE